James P. Walsh, CSB. No. 184620 Gwen Fanger, CSB No. 191161 DAVIS WRIGHT TREMAINE LLP 505 Montgomery Street, Suite 800 San Francisco, California 94111-3611 Telephone: (415) 276-6500 Facsimile: (415) 276-6599 budwalsh@dwt.com

Attorneys for Defendants and Claimant BARRY COHEN, CHRIS COHEN (aka CHRISTENE COHEN), the F/V POINT LOMA and Claimant, F/V POINT LOMA Fishing Company, Inc.

## UNITED STATES DISTRICT COURT

## FOR THE NORTHERN DISTRICT OF CALIFORNIA

## SAN FRANCISCO DIVISION

DEL MAR SEAFOODS, INC.,	)
Plaintiff,	) No. C-07-2952-WHA
v.  BARRY COHEN, CHRIS COHEN (aka CHRISTENE COHEN), <i>in personam</i> and, F/V POINT LOMA, Official Number 515298, a 1968 steel-hulled, 126-gross ton, 70.8 foot long fishing vessel, her engines, tackle, furniture apparel, etc., <i>in rem</i> , and	DECLARATION OF CHRISTENE COHEN IN SUPPORT OF DEFENDANT CHRISTENE COHEN'S APPLICATION FOR PERMISSION TO APPEAR BY TELEPHONE AT SETTLEMENT CONFERENCE
Does 1-10,  Defendants.	<ul> <li>Settlement Conf.: May 1, 2008</li> <li>Time: 10:00 a.m.</li> <li>Place: Judge Larson's Chambers</li> </ul>

I, Christene Cohen, declare as follows:

- 1. I am a resident of the State of Arizona and currently reside in Scottsdale, Arizona. I am a named Defendant in this lawsuit. I make this declaration in support of Defendant Christene Cohen's Application for Permission to Appear by Telephone at Settlement Conference. The facts set forth in this declaration are personally known to me to be true and, if called as a witness, I could and would testify to the following:
- 2. Barry Cohen and I were married on August 24, 1994. We are currently still married although we are separated and in divorce proceedings.

	3.	It would be a substantial hardship for me to attend the settlement conference in
person. I cannot afford the considerable financial expenses needed for me to travel to San		
Francisco to participate in the settlement conference in person. Moreover, I am employed in		
Scottsdale, Arizona and cannot afford to miss any days of work. Attending the settlement		
conference in person would require me to miss at least one, if not two, days of work.		

I am available to appear by telephone for the duration of the settlement conference 4. on Thursday, May 1, 2008, starting at 10:00 a.m., in lieu of participating in person.

DATED this 23<sup>rd</sup> day of April, 2008.

<u>/s/ Christene Cohen</u> Christene Cohen